



EPA Region 10 RTOC
Regional Tribal Operations Committee
Curyung Tribal Council
PO BOX 216 Dillingham, AK 99576
PH: 907.842.2384 FAX: 907.842.4510
www.rtocregion10.org

September 6, 2016

Portland Harbor Comments
US EPA, Region 10
805 S.W. Broadway, Suite 500
Portland, OR 97205

SENT VIA EMAIL (harborcomments@epa.gov)

RE: Comments on the Portland Harbor Proposed Cleanup Plan

Dear Madam or Sir:

This letter is sent on behalf of the Tribal Caucus members of EPA Region 10's Tribal Operations Committee (RTOC). This letter is not sent on behalf of EPA Region 10 or any employees of EPA, but solely tribal government representatives of the RTOC. These comments are meant to supplement, and not substitute for, any comments that may be submitted by any of the individual sovereign tribal governments. These comments are submitted on the Proposed Cleanup Plan for the Portland Harbor Superfund Site.

The Region 10 RTOC includes Tribes across Alaska, Washington, Idaho, and Oregon. Clean water is essential to all of these Tribes, not just as a source of sustenance, but also for cultural, medicinal, and spiritual reasons. The control of pollution and cleanup of contaminated sites, such as Portland Harbor, is a vital component of the wellbeing and cultural sustainability of many Tribes.

Ensuring a proper cleanup of Portland Harbor protects and enhances tribal cultural fisheries practices in the Lower Willamette River, including the harvest of lamprey eels (whose population has significantly declined in the Columbia River Basin). It is necessary to protect all the fish that pass through the Harbor area and the adjacent Columbia River—fish in which so many Tribes retain legally-protected rights and interests.

The RTOC joins and supports the comments submitted by the Portland Harbor Five Tribes and Common Consultant and separately by the Yakama Nation. Moreover, the RTOC would like to specifically identify two comments of concern that have been identified:

First, the RTOC believes that Alternative I fails to adequately protect human health and the environment and, instead, focuses only on short-term impacts and cost. Alternative G appears to be the alternative that will achieve protection of human health and the environment in a reasonable timeframe and in perpetuity. By doing it right, now, we ensure that there will be no need for further cleanup of the site in the future.

Second, the Cleanup Plan must protect tribal fish consumption. According to EPA's documents, the completed Plan (in seven years) will allow for approximately 50 fish meals every ten years. According to the Baseline Human Health Risk Assessment, tribal consumption rates amount to 1,380 resident fish meals per ten years. Given the recent attention to fish consumption rates in Region 10, it is critical that EPA's own cleanup plan ensure that tribal consumption is sufficiently protected. No tribal member should be put at risk from eating fish from Portland Harbor after the implementation of the cleanup plan.

Lastly, we encourage EPA to engage in further consultation with the Region's Tribes on this very important issue to ensure that the cleanup of Portland Harbor protects tribal health and fulfills tribal trust obligations and treaty and reserved rights.

The RTOC appreciates your consideration of these comments.

Sincerely,

A handwritten signature in dark ink that reads "William (Billy) J. Maines". The signature is written in a cursive, slightly slanted style.

William (Billy) J. Maines
Region 10 RTOC, Tribal Caucus Co-chair
